

THE WEITZ LAW FIRM, P.A.

Bank of America Building
18305 Biscayne Blvd.,
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Aventura, Florida 33160

September 15, 2021

VIA CM/ECF

Honorable Judge Jesse M. Furman
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Norris v. LOL Stand Up Comedy Corp., et al.
Case 1:21-cv-04820-JMF

Dear Judge Furman:

Pursuant to the Order to Show Cause [D.E. 18], dated September 9, 2021, whereby the Plaintiff is to show cause, why the Court should not dismiss this case for failure to prosecute, Plaintiff states the following.

Plaintiff is directly re-serving the Summons and Complaint, along with the Order to Show Cause [D.E. 18], to the Subject Facility today. It is Plaintiff's counsel's understanding that the original service through the Department of State has been delayed by 60 days due to Covid-19, as well as further interruptions with their service. The date of service on the Affidavit of Service is factually the date our process server provided the defendants' Complaint and Summons to the Department of State, Division of Corporations. But due to the hinderance with the Department of State in serving the defendant corporations, there is a delay in receiving the actual Complaint and Summons documents by the defendants. Also, many of the addresses registered with the Department of State are old and not updated. The landlord defendant's corporate address and location was found to be vacant. The undersigned will also be re-serving the landlord defendant directly at the mailing address listed with the Department of Finance for their property taxes.

Attached is a letter from the Process Server attesting to service to be performed today. See Exhibit "A". The affidavits of service for all service of process will be posted without delay, as soon as they are received.

For the above reasons, the undersigned, respectfully requests an extension of time of 30 days, to show cause and/or move for default, also, a 30-day adjournment of the Show Cause Hearing scheduled for September 20th and thereby permit time for the defendants that are being re-served to contact the undersigned and/or make their appearance in this matter.

This Court may wish to take notice that this is a first request for an extension of time to show cause and a first request for an adjournment of the Show Cause Hearing, also, a second request for extension of time with regard to the default judgment.

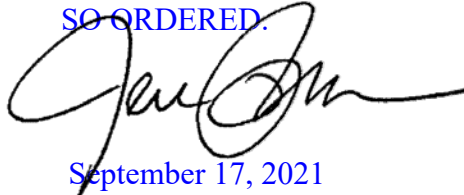
Thank you for your attention to this matter.

Sincerely,

By: /S/ B. Bradley Weitz
B. Bradley Weitz, Esq.
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The reasons set forth by counsel may suffice to justify an extension of the time to serve, but they do not justify counsel's failure to comply with the Court deadline to file a motion for default judgment - either by filing a motion or by seeking an extension (for the reasons set forth above or otherwise). The Court will let it slide this time, but counsel - who is a repeat player in the Court - should know better and is cautioned that the Court will not be as forgiving with future failures to abide by Court deadlines. In short, the application is GRANTED. Plaintiff shall file proof of service of the summons, Complaint, and this Order no later than **September 24, 2021**. The hearing currently scheduled for September 20, 2021, which will presumptively be treated as the initial pretrial conference, *see* ECF Nos. 7-8, is hereby ADJOURNED to **October 26, 2021, at 4:30 p.m.** The Clerk of Court is directed to terminate ECF No. 20.

SO ORDERED.



September 17, 2021